

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Lori Jenkins,

Petitioner,

Case No. 18-cv-1425 (WMW/ECW)

v.

Warden Barnes,

Respondent.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

This matter is before the Court on the October 1, 2018 Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright. (Dkt. 6.) Because no objections have been filed, this Court reviews the Report and Recommendation for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the Report and Recommendation, the Court finds no clear error.¹

Based on the Report and Recommendation and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The October 1, 2018 Report and Recommendation, (Dkt. 6), is **ADOPTED**; and
2. This action is **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction.

Dated: October 31, 2018

s/Wilhelmina M. Wright

Wilhelmina M. Wright

United States District Judge

¹ The Court is mindful that Jenkins challenges the application of United States Sentencing Guidelines § 2K2.1(c)(1)(B), not § 2K1.1(c)(1)(B). The Report and Recommendation's substantive review and analysis, however, is legally sound.